

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : David S.F. Young et al
INVENTION : **Cancerous Disease Modifying
Antibodies**
SERIAL NUMBER : 10/603,006
FILING DATE : June 23, 2003
EXAMINER : Reddig, Peter J
GROUP ART UNIT : 1642
OUR FILE REF. NO. : 2056.023

Mail Stop Petition
Commissioner of Patents & Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED DOMESTIC PRIORITY
CLAIM UNDER 37 CFR 1.78(a)**

Sir:

This Petition is filed under 37 CFR 1.78(a), to request granting of an unintentionally delayed claim to domestic priority, of a prior-filed co-pending non-provisional application.

In accordance with the requirements of 35 U.S.C. 120 and paragraph (a)(2)(ii) of 37 CFR 1.78, an amendment by Applicants, requesting entry of the required reference is attached hereto in the form of a separate amendment.

COPY

COPY

Authorization is hereby granted to charge Applicants' Deposit Account No. 50-1820 (Arius Research, Inc.) for the surcharge of \$1,370.00, in accordance 37 CFR 1.17(t), along with any additional fees which may be required.

Applicants herein state that the entire delay between the date the claim was due under paragraph (a)(2)(ii) and the date the claim was filed was unintentional.

Ferris H. Lander
Signature of Petitioner

1/12/2007
Date

Ferris H. Lander

Reg. No. 43,377

COPY

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : David S. F. Young et al
INVENTION : **CANCEROUS DISEASE MODIFYING
ANTIBODIES**
SERIAL NUMBER : 10/603,006
FILING DATE : June 23, 2003
EXAMINER : Peter J. Reddig
GROUP ART UNIT : 1642
OUR FILE NO. : 2056.023

Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF July 12, 2006

Sir:

In response to the Office Action dated July 12, 2006 having a shortened statutory period for response set to expire October 12, 2006, kindly amend the above-entitled application as follows, no new matter is added:

Amendments to the Specification begin on page 2 of this paper.

COPY

COPY

Amendments to the Specification:

Please replace the paragraph beginning at page 1, line 3, with the following rewritten paragraph:

This application is a continuation-in-part of S.N. 10/348,231, filed January 21, 2003, ~~the contents of which are herein incorporated by reference~~ now U.S. Patent 7,009,040, issued March 7, 2006.

COPY

COPY

REMARKS/ARGUMENTS

In the specification, the paragraph beginning at page 1, line 3 has been amended to supply reference to domestic priority of U.S. SN 10/348,231, now U.S. Patent 7,009,040.

In response to the Office Action of July 12, 2006, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

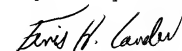
COPY

COPY

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested.

Respectfully submitted,



Ferris H. Lander

Registration # 43,377

McHale & Slavin, P.A.
2855 PGA Boulevard
Palm Beach Gardens, FL 33410
(561) 625-6575 (Voice)
(561) 625-6572 (Fax)

COPY